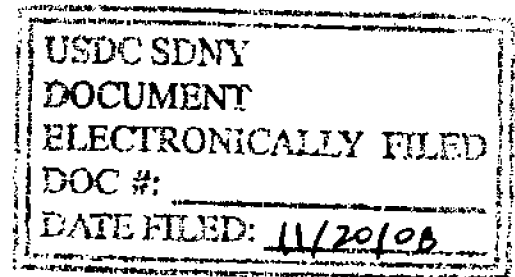


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
RENZER BELL,

Plaintiff,

-against-

MANHATTAN MOTORCARS, INC., et al.,

Defendants.

REPORT AND
RECOMMENDATION
TO THE HONORABLE
GEORGE B. DANIELS

06 Civ. 4972 (GBD)(FM)

-----X
FRANK MAAS, United States Magistrate Judge.

In this contract action, plaintiff Renzer Bell has attempted to proceed pro se on behalf of Naki General Investment, L.L.C. ("Naki"), a Delaware limited liability company, alleging that he is Naki's assignee. Bell contends that defendant Manhattan Motorcars, Inc. breached a written agreement with Naki, thereby causing him financial harm. (Am. Compl. ¶¶ 20, 25, 34).

By order dated September 15, 2008, I advised Bell that a limited liability company, such as Naki, is required to appear by counsel in order to prosecute its claims in this Court. (See Docket No. 26 (citing Lattanzio v. COMTA, 481 F.3d 137, 140 (2d Cir. 2007))). Accordingly, I directed that Bell have counsel appear in this lawsuit by October 17, 2008. (Id. at 6). By memorandum endorsement dated October 21, 2008, I extended Bell's deadline to secure counsel and have his attorney enter an appearance until

November 6, 2008. As of today, no attorney has filed a notice of appearance on Bell's behalf.

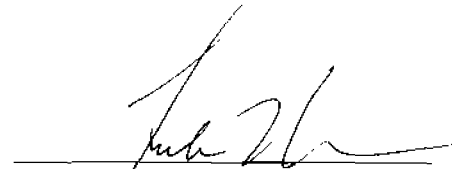
Since Bell has failed to comply with the Court's directive to secure counsel, I recommend that this case be dismissed for want of prosecution, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Additionally, in light of this recommendation, I have taken the liberty of closing Your Honor's reference to me.

Notice of Procedure for Filing of Objections to this Report and Recommendation

The parties shall have ten days from the service of this Report and Recommendation to file written objections pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure. See also Fed. R. Civ. P. 6(a),(d). Any such objections shall be filed with the Clerk of the Court, with courtesy copies delivered to the chambers of the Honorable George B. Daniels, and to my chambers at the United States Courthouse, 500 Pearl Street, New York, New York 10007, and to any opposing parties. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b). Any requests for an extension of time for filing objections must be directed to Judge Daniels. The failure to file timely objections will result in a waiver of those objections for purposes of appeal.

Sec 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6(a), 6(d), 72(b); Thomas v. Arn, 474 U.S. 140 (1985); Frank v. Johnson, 968 F.2d 298, 300 (2d Cir. 1992).

Dated: New York, New York
November 20, 2008


FRANK MAAS
United States Magistrate Judge

Copies to:

Hon. George B. Daniels
United States District Judge

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